

## Declaration For Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled A FLEXIBLE ANNULAR STAPLER FOR CLOSED SURGERY of HOLLOW ORGANS, the specification of which

(check one) ☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_. I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
<u>PCT/IB97/00887</u>	_____	<u>17-Jul-97</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(number)	(Country)	(Day, Month, Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(number)	(Country)	(Day, Month, Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(number)	(Country)	(Day, Month, Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>08/687,315</u>	<u>25-Jul-96</u>	<u>patented</u>
(Application Serial No.)	(Filing Date)	Status
		(patented, pending, abandoned)
<u>09/846,362</u>	<u>2-May-2001</u>	<u>pending</u>
(Application Serial No.)	(Filing Date)	Status
		(patented, pending, abandoned)

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page 2 of 2

Continuation of Declaration For Patent Application

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application of any patent issued thereon.

*FULL NAME OF SOLE OR FIRST INVENTOR HAVIV TOLEDANO	INVENTOR'S SIGNATURE 	DATE 10 Nov 2001
RESIDENCE 69 KEREN HAYESSOD ST., 27053 KIRYAT BIALIK-ISRAEL	CITIZENSHIP ISRAELI	
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*FULL NAME OF SECOND INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP ISRAELI	
POST OFFICE ADDRESS		

*FULL NAME OF THIRD INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP ISRAELI	
POST OFFICE ADDRESS		

*FULL NAME OF FOURTH INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP ISRAELI	
POST OFFICE ADDRESS		

*FULL NAME OF FIFTH INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP ISRAELI	
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*FULL NAME OF SIXTH INVENTOR	INVENTOR'S SIGNATURE	DATE
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INDEPENDENT INVENTOR - NEW APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In RE Application of: HAVIV TOLEDANO

Filed Concurrently Herewith

For: A FLEXIBLE ANNULAR STAPLER FOR CLOSED SURGERY OF HOLLOW ORGANS

VERIFIED STATEMENT UNDER 37 CFR 1.27  
CLAIMING STATUS AS A SMALL ENTITY

To The Commissioner of Patents and Trademarks:

As a below named Inventor, I hereby declare that:

I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under 35 USC § 41(a) § 41(b) to the Patent and Trademark Office with regard to the above-entitled invention described in the specification filed with.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any party who could not qualify as a small entity under 37 CFR 1.9(f), namely, a person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or a concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each party, if any, who could qualify as a small entity under 37 CFR 1.9(f) and to whom I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey or license, any rights in the invention is stated below:

Full Name (Party 1): HAVIV TOLEDANO  
Address: 10101 1st Avenue, Suite 100, San Diego, CA 92121  
Status: ☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Full Name (Party 2):   
Address:   
Status: ☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty under 37 CFR 1.28(b) to file, in this application, notification of any change in status resulting from loss of entitlement to small entity status prior to paying, or at the time of paying, the issue fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements of the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

HAVIV TOLEDANO  
Name of Inventor 1

Signature of Inventor 1

Name of Inventor 2

Signature of Inventor 2

Name of Inventor 3

Signature of Inventor 3

Date: 10 November 2001